

Message Text

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ACTION IO-13

INFO OCT-01 ISO-00 DHA-02 ORM-02 AF-08 ARA-06 EA-07 EUR-12

NEA-10 INRE-00 SSO-00 NSCE-00 USIE-00 CIAE-00 DODE-00

PM-04 H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 OIC-02 /102 W

-----021551 113638 /42

O R 021433Z MAR 77

FM USMISSION GENEVA

TO SECSTATE WASHDC 5579

INFO USMISSION USUN NEW YORK

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E.O. 11652: N/A

TAGS: UN, SHUM

SUBJECT: HUMAN RIGHTS COMMISSION: UGANDA CASE UNDER CONFIDENTIAL
PROCEDURES (ECOSOC RES. 1503)

REF: (A) GENEVA 1494; (B) STATE 44701; (C) GENEVA 1413;

(D) STATE 43698

1. AT P.M. MEETING FEBRUARY 28 UN HUMAN RIGHTS
DIVISION DIRECTOR SCHREIBER READ INTO RECORD TEXT OF
SECOND COMMUNICATION FROM SECRETARY-GENERAL (FIRST
COMMUNICATION REPORTED PARA. 6 REF. C). IN HIS SECOND
COMMUNICATION THE UNSYG EXPRESSED HIS CONCERN THAT THE
PROCEDURE PROPOSED IN NON-ALIGNED DRAFT DECISION (TEXT
PARA 13 REF. C) AND ADOPTED WITH RESPECT TO THE CASE OF
EQUATORIAL GUINEA POSED A VARIETY OF CONSTITUTIONAL
AND PROCEDURAL PROBLEMS. THE PROPOSED DECISION
REQUESTED THE SYG TO UNDERTAKE ACTIONS ALREADY WITHIN
THE COMPETENCE OF THE COMMISSION AND THEREFORE COULD
HAMPER SYG'S GOOD OFFICES FUNCTION. SYG'S MESSAGE
CLOSED BY NOTING THE UNPRECEDENTED NATURE OF THE
REQUEST IN THE NON-ALIGNED PROPOSAL WHICH WOULD "REQUIRE
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CAREFUL STUDY BEFORE A DECISION CAN BE TAKEN BY THE
SECRETARY-GENERAL." AFTER BRIEF DISCUSSION AND OVER
OBJECTIONS OF EGYPT THE DELEGATION OF SENEGAL REQUESTED
POSTPONMENT OF FURTHER CONSIDERATION OF THE DRAFT
PROPOSAL TO ALLOW TIME FOR REFLECTION ON THE SYG'S
MESSAGE.

2. THE A.M. MEETING MARCH 1, AT THE SUGGESTION OF THE CHAIRMAN, WAS SUSPENDED AND ALL CO-SPONSORS PLUS OTHER INTERESTED PARTIES WERE INVITED TO INFORMAL CONSULTATIONS IN THE CHAIRMAN'S OFFICE. THESE CONSULTATIONS, IN WHICH US AND UK REPS TOOK PART, CONSUMED THE REMAINDER OF THE MORNING PERIOD. ONE DIFFICULTY COMPLICATING THE CONSULTATIONS WAS HAGGLING BETWEEN UN HUMAN RIGHTS DIVISION DIRECTOR SCHREIBER AND CHAIRMAN BOZOVIC OVER THE PROPER INTERPRETATION OF THE SYG'S POSITION. A BASIC ELEMENT OF THE CONSULTATIONS WAS THE SUGGESTION ADVANCED BY THE REPRESENTATIVE OF SENEGAL THAT A RESPECTED AFRICAN BE DESIGNATED TO INQUIRE INTO THE SITUATION IN UGANDA. IN SUPPORT OF THIS IDEA THE USREP PRESENTED LANGUAGE TO PROVIDE FOR SUCH A DELEGATION DRAWN FROM REF B FOR INCLUSION IN A REVISED PROPOSAL. THERE ALSO APPEARED TO BE GENERAL AGREEMENT THAT THE GOVERNMENT OF UGANDA SHOULD BE CALLED UPON BY THE HRC TO COOPERATE WITH ANY CONTACTS WHICH MAY BE MADE WITH THAT GOVERNMENT.

3. THE INFORMAL CONSULTATIONS ENDED WITH AGREEMENT THAT EGYPT AND OTHER INTERESTED DELEGATIONS WOULD DRAW UP A REVISED PROPOSAL WHICH WOULD INCORPORATE THE BASIC PRINCIPLES OF AGREEMENT REACHED IN THE INFORMAL CONSULTATIONS.

4. AT THE P.M. MEETING MARCH 1 A REVISED NON-ALIGNED PROPOSAL WAS PRESENTED, THE TEXT OF WHICH SENT REF. A. AFTER THE REVISED TEXT WAS CIRCULATED THE LIMITED OFFICIAL USE

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REPRESENTATIVE OF SENEGAL FOUND THE REVISION UNSATISFACTORY AND ASKED TO HAVE HIS NAME DELETED AS A CO-SPONSOR.

5. IN INFORMAL CONSULTATIONS AMONG WEO DELEGATIONS THERE WAS GENERAL AGREEMENT THAT THE REVISED TEXT REPRESENTED NOT ONLY A WEAKENING OF THE ORIGINAL NON-ALIGNED PROPOSAL BUT FAILED TO INCORPORATE SIGNIFICANT ELEMENTS SUGGESTED IN MORNING'S CONSULTATIONS. ALL WEOS DELEGATIONS AGREED THAT BECAUSE OF THIS FURTHER WEAKENING OF THE DRAFT TEXT, VOTES AGAINST RATHER THAN ABSTENTIONS WERE CALLED FOR.

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6. AS REPORTED REF. A, THE REVISED PROPSAL WAS
ADOPTED BY A VOTE OF 20-8(US, COSTA RICA, AUSTRIA,
CANADA, FRG, ITALY, UK AND SWEDEN)-4(SENEGAL, ECUADOR,
PERU AND PANAMA.) DROPPING THE POLICY OF NON-PARTICI-
PATION, THE USSR AND OTHER EES TOOK PART IN THE VOTING.

7. THIS DECISION WAS PRECEDED BY A VOTE ON AN
EGYPTIAN MOTION TO ACCORD PRIORITY TO THE REVISED
NON-ALIGNED PROPOSAL, UK REP MOVED THAT A VOTE BE TAKEN
ON HIS PROPOSAL FOR A THOROUGH STUDY OF THE SITUATION
IN UGANDA. UK MOTION TO TAKE A VOTE WAS REJECTED
11(US)-13-7.

8. IN EXPLANATIONS OF VOTE THE REP OF LESOTHO
EXPRESSED REGRET THAT THE DECISION OF THE HRC HAD FAILED
TO ESTABLISH MACHINERY WHICH WOULD KEEP THE UGANDA
SITUATION UNDER REVIEW UNTIL THE NEXT HRC SESSION. THE
SUREP DESCRIBED THE DECISION TAKEN AS ONE IN WHICH
EVERYBODY LOSES. THE ADOPTED DECISION, IN FAILING TO
INVOLVE THE HRC IN THE UGANDA SITUATION, WOULD GIVE
RISE TO CYNICISM AS THE COMMISSION TURNED ITS ATTENTION
TO OTHER SERIOUS HUMAN RIGHTS SITUATIONS ON THE SAME
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CONTINENT. NOT ONLY WOULD THE HRC'S ACTION RAISE
QUESTIONS AS TO WHETHER THE HRC COULD FUNCTION EFFECTIVELY,
BUT BY IT THE GOVERNMENT OF UGANDA LOST THE OPPORTUNITY
TO DEMONSTRATE THE FACTS OF THE SITUATION IN THAT
COUNTRY. USREP DELIBERATELY REFRAINED FROM CRITICISM
OF UGANDA GOVT IN VIEW OF CONCERNS STATED REF. D.
OTHER EXPLANATIONS STRESSING THE INADEQUACY OF HRC'S DECISION

WERE MADE BY ALL DELS VOTING AGAINST. EXPLANATIONS OF THOSE VOTING IN FAVOR (CYPRUS, TURKEY, UPPER VOLTA, YUGOSLAVIA, PAKISTAN AND EGYPT) FOLLOWED THEME THAT THE NON-ALIGNED WAS THE MOST REALISTIC OF THE TWO PROPOSALS, ESPECIALLY SINCE IT WAS ACCEPTABLE TO THE GOVT OF UGANDA.

9. IN A COMMENTARY ON THE DECISION TAKEN, THE HRC CHAIRMAN BOZOVIC EXPRESSED THE HOPE THAT HRC MEMBERS WOULD NOT CAPITALIZE ON WHAT HAD HAPPENED IN THE CLOSED MEETINGS BY TALKING TO THE PRESS. HE OFFERED TO SPEAK TO THE PRESS FOR THE COMMISSION. AFTER SOME DISCUSSION THE COMMISSION AGREED THAT THE CHAIRMAN SHOULD INFORM THE PRESS THAT (A) IN ALL THE CASES IT HAD EXAMINED THE HRC HAD ADOPTED DECISION, (B) THESE DECISION CANNOT BE REVEALED BECAUSE OF THEIR CONFIDENTIAL NATURE UNDER RESOLUTION 1503, (C) THE DECISIONS TAKEN WERE IN CONFORMITY WITH THE MANDATE OF THE COMMISSION. FINALLY, THE CHAIRMAN WAS AUTHORIZED TO STATE THAT THE COMMISSION BELIEVED THAT IN ADOPTING ITS DECISION IT HAD NOT EVADED ITS RESPONSIBILITIES AND THAT IT BELIEVED ITS DECISION WOULD BE FOLLOWED BY ACTION.

10. IN THE DISCUSSION ON THE CHAIRMAN'S STATEMENT THE USREP AFFIRMED THE INTENTION OF THE U.S. DELEGATION TO OBSERVE THE CONFIDENTIALITY OF THE 1503 PROCEDURES. HE NOTED, HOWEVER, THAT IN THE ALMOST INEVITABLE EVENTUALITY OF LEAKS WHICH MIGHT IMPROPERLY STATE WHAT HAD OCCURRED IN THE CLOSED SESSIONS HE WOULD HAVE TO RESERVE THE POSITION OF HIS GOVERNMENT ON WHAT MIGHT LIMITED OFFICIAL USE

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BE SAID TO CORRECT ANY ERRONEOUS REPORTS. CATTO

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Message Attributes

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